

STEVEN G. KALAR
Federal Public Defender
ELIZABETH M. FALK
Assistant Federal Public Defender
19th Floor Federal Building
450 Golden Gate Avenue
San Francisco, CA 94102
(415) 436-7700
Counsel for Defendant SHELLS

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR 12-831 RS
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER FOR CONTINUANCE OF
v.)	STATUS CONFERENCE
)	AND EXCLUSION OF TIME
)	
RUBEN QUINTIN SHELLS,)	Date: February 19, 2013
)	Time: 2:30 p.m.
Defendant.)	Court: The Honorable Richard Seeborg

The parties hereby stipulate and agree as follows:

1. This matter is currently set for a status conference on April 2, 2013 at 2:30 p.m.;
2. Defense counsel received the proposed plea agreement on Friday, March 29, 2013 and conveyed it to her client today;
3. Mr. Shells has requested additional research be done on possible motion and trial defenses. Undersigned counsel needs additional time to complete that research and meet with her client;
4. Mr. Shells lives in Sebastapol and is only transported by his mother to meetings with counsel. Undersigned counsel also represents to the Court that her client suffers from some mental health issues and she will need to meet with her client

1 several times to ensure he understands his options as well as the risks and
2 potential benefits of filing motions and/or proceeding to trial. Accordingly, the
3 requested period of continuance accounts for all of the aforementioned factors;

4 5. Counsel for the government has been contacted and has no objection to the
5 continuation;

6 6. The defense thus requests that the status conference be continued to April 23,
7 2013 at 2:30 p.m.

8 7. Further, and in light of the foregoing, the parties stipulate and jointly request that
9 time be excluded from the Speedy Trial Act calculations from Tuesday, April 2,
10 2013 through Tuesday, April 23, 2013 on the grounds of effective preparation of
11 counsel. The parties agree that the ends of justice served by granting such a
12 continuance outweigh the best interests of the public and the defendant in a
13 speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A), (h)(7)(B)(iv)..

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15 IT IS SO STIPULATED.

16 Dated: April 1, 2013

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18 /s/
ELIZABETH M. FALK
ASSISTANT FEDERAL PUBLIC DEFENDER

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21 Dated: April 1, 2013

22 /s/
LAURA VARTAIN HORN
ASSISTANT UNITED STATES ATTORNEY

1 **~~PROPOSED~~ ORDER**

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3 For the reasons set forth above, the hearing in the aforementioned matter is hereby
4 CONTINUED from April 2, 2013 to April 23, 2012 at 2:30 p.m.

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6 In addition, for the reasons stated above, the Court finds that an exclusion of time from
7 Tuesday, April 2, 2013 through Tuesday, April 23, 2013 is warranted and that the ends of justice
8 served by the continuance outweigh the best interests of the public and the defendant in a speedy
9 trial. *See* 18 U.S.C. §3161 (h)(7)(A).

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11 **IT IS SO ORDERED.**

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13 DATED: 4/1/2013



14 THE HONORABLE RICHARD SEEBORG
15 UNITED STATES DISTRICT JUDGE
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